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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 STEVEN ANTHONY GUZMAN,

11 Petitioner,

No. CIV S- 04-0700 FCD GGH P

12 vs.

13 A. LAMARQUE, Warden,

14 Respondent.

ORDER

15 _____/
16 Petitioner, proceeding with appointed counsel, filed a petition pursuant to 28
17 U.S.C. §2254. By order filed on October 27, 2004, this action was stayed pending exhaustion of
18 petitioner's newly identified claim of a due process violation in the imposition of sentence.
19 Petitioner was directed to file a second amended petition containing all of his claims immediately
20 upon exhaustion of state court remedies. Petitioner has filed a second amended petition.

21 Accordingly, IT IS ORDERED that:

22 1. The stay imposed in this action is lifted; and

23 2. Respondent shall file a response to the second amended petition within thirty
24 days. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all
25 transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed.
26 R. Governing § 2254 Cases;

1 3. If the response to the habeas petition is an answer, petitioner's reply/traverse, if
2 any, shall be filed and served within thirty days after service of the answer; and

3 4. If the response to the habeas petition is a motion, petitioner's opposition or
4 statement of non-opposition to the motion shall be filed and served within thirty days after
5 service of the motion, and respondents' reply, if any, shall be filed and served within fifteen days
6 thereafter.

7 DATED: 12/21/05

8 /s/ Gregory G. Hollows

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10 GREGORY G. HOLLOWS
11 UNITED STATES MAGISTRATE JUDGE

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